Notice of Allowability    Application No.   10/680.804   FINGER ET AL   Examiner   Art Unit   Huan H. Tran   2861				AL
Notice of Allowability    Examiner		Application No.	Applicant(s)	
### Huan H. Tran ### Tran ### Liven		10/660,804	FINGER ET AL.	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address- All claims being allowable. PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included newth (or previously mailed,) a Notice of Allowance (PTOL-95) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initial of the Office or upon pellition by the applicant. See 37 CFR 1.13 and MPEP 1303 and MPEP 1304.  1. ☑ This communication is responsive to Amendment filed on 04/29/05 and Interview on 05/12/05.  2. ☑ The allowed claim(s) is/are 1-36.  3. ☑ The drawings filed on 09/09/03 are accepted by the Examiner.  4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b ☐ Some color of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received.  3. ☐ Copies of the certified copies of the priority documents have been received in Application No. ☐  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  *Certified copies not received: ☐  Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Tailure to timely comply will result in ABANDOMMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or dederation is deficient.  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or dederation is deficient.  6. ☐ CORRECTED DRAWINGS (as "replace	Notice of Allowability	Examiner	Art Unit	
All dalms being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herevith (or previously malled), a Notice of Allowance (PTOL-85) or other appropriate communication will be malled in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initial of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.  1.  \[ \text{ This communication is responsive to } \] Amendment filled on 04/29/05 and Interview on 05/12/05.  2.  \[ \text{ The allowed claim(s) is/are 1-36}.\] 3.  \[ \text{ The drawings filed on 09/09/03} are accepted by the Examiner.}  4.  \[ \text{ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) \[ \text{ All b) } \] Some on \[ \text{ Or entified copies of the priority documents have been received.}  2.  \[ \text{ Certified copies of the priority documents have been received in Application No  3.  \[ \text{ Certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17-2(a)).  * Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  5.  \[ \text{ A SUBSTITUTE OATH OR DECLARATION must be submitted.}\]  (a) \[  Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) \[ \text{ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) \[ \text{ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached Examiner's Comment regarding ReQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.   Attachment(s)  1.  \[ \text{ District Draft person's Patent Drawing Review (PTO-948		Huan H. Tran	2861	
2. ☑ The allowed claim(s) is/are 1-36.  3. ☑ The drawings filled on 09/09/03 are accepted by the Examiner.  4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some* c) ☐ None of the:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  *Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  1) ☐ hereto or 2) ☐ to Paper No./Mail Date	All claims being allowable, PROSECUTION ON THE MERIT herewith (or previously mailed), a Notice of Allowance (PTOL NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATEN	S IS (OR REMAINS) CLOSED in 2-85) or other appropriate commuter RIGHTS. This application is	n this application. If not included unication will be mailed in due cour	rse. THIS
3.	1. $igotimes$ This communication is responsive to <u>Amendment filed</u>	on 04/29/05 and Interview on 0	<u>05/12/05</u> .	
4.	2. $\boxtimes$ The allowed claim(s) is/are <u>1-36</u> .			
a)  All b) Some* c) None of the:  1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No	3. $igotimes$ The drawings filed on <u>09/09/03</u> are accepted by the E	xaminer.		
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).  7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.  Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material  9. ☐ Other Huan H. Tran	a) All b) Some* c) None of the:  1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priorit International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DA noted below. Failure to timely comply will result in ABAND THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  5. A SUBSTITUTE OATH OR DECLARATION must be s INFORMAL PATENT APPLICATION (PTO-152) which 6. CORRECTED DRAWINGS ( as "replacement sheets")	have been received.  have been received in Application to file of this communication to file on the ATE" of this communication to file on the ATE of this application.  Submitted. Note the attached EX in gives reason(s) why the oath of the one of the submitted.	on No  In this national stage application  In a reply complying with the require  AMINER'S AMENDMENT or NOTI  In declaration is deficient.	ements
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.  Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material  7. ☐ Notice of Informal Patent Application (PTO-152) 6. ☐ Interview Summary (PTO-413), Paper No./Mail Date 05/12/05. 7. ☐ Examiner's Amendment/Comment 8. ☐ Examiner's Statement of Reasons for Allowance 9. ☐ Other  Huan H. Tran	(b) including changes required by the attached Exam Paper No./Mail Date  Identifying indicia such as the application number (see 37 C	niner's Amendment / Comment o	the drawings in the front (not the bac	ck) of
<ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statements (PTO-1449 or PTO/SB/08),         Paper No./Mail Date</li></ol>	7. DEPOSIT OF and/or INFORMATION about the c	deposit of BIOLOGICAL MAT	ERIAL must be submitted. Note	the:
4. Examiner's Comment Regarding Requirement for Deposit of Biological Material  8. Examiner's Statement of Reasons for Allowance 9. Other Huan H. Tran	<ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftperson's Patent Drawing Review (PTO-9)</li> </ol>	6. 🗵 Interview S Paper No	Summary (PTO-413), ./Mail Date	52)
Primary Examiner	4. Examiner's Comment Regarding Requirement for Depo	<del></del>	- Granta	1Ce

Application/Control Number: 10/660,804

Art Unit: 2861

## **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ralph Skinkiss on 05/12/05 and on 05/18/05. See attached Interview Summary.

The application has been amended as follows:

## In the claims:

Claim 1, line 1, changed the status identifier to "currently amended".

Claim 3, line 1, changed the status identifier to "currently amended".

Claim 4, line 1, changed the status identifier to "currently amended".

Claim 5, line 1, changed the status identifier to "currently amended".

Claim 6, line 1, changed the status identifier to "currently amended".

Claim 7, line 1, changed the status identifier to "currently amended".

Claim 8, line 1, changed the status identifier to "currently amended".

Claim 9, line 1, changed the status identifier to "currently amended".

Claim 10, line 1, changed the status identifier to "currently amended".

Claim 11, line 1, changed the status identifier to "currently amended".

Claim 12, line 1, changed the status identifier to "currently amended".

Claim 13, line 1, changed the status identifier to "currently amended".

Application/Control Number: 10/660,804

Art Unit: 2861

Claim 14, line 1, changed the status identifier to "currently amended". Claim 15.line 1, changed the status identifier to "currently amended". Claim 16, line 1, changed the status identifier to "currently amended". Claim 17, line 1, changed the status identifier to "currently amended". Claim 18, line 1, changed the status identifier to "previously presented". Claim 19, line 1, changed the status identifier to "previously presented". Claim 20, line 1, changed the status identifier to "previously presented". Claim 21, line 1, changed the status identifier to "previously presented". Claim 22, line 1, changed the status identifier to "currently amended". Claim 23, line 1, changed the status identifier to "currently amended". Claim 24, line 1, changed the status identifier to "currently amended". Claim 25, line 1, changed the status identifier to "previously presented". Claim 26, line 1, changed the status identifier to "previously presented". Claim 27, line 1, changed the status identifier to "previously presented". Claim 28, line 1, changed the status identifier to "currently amended". Claim 29, line 1, changed the status identifier to "previously presented". Claim 30, line 1, changed the status identifier to "previously presented". Claim 31. line 1. changed the status identifier to "currently amended". Claim 32. line 1, changed the status identifier to "currently amended". Claim 33., line 1, changed the status identifier to "currently amended". Claim 34, line 1, changed the status identifier to "previously presented". Claim 35, line 1, changed the status identifier to "previously presented". Art Unit: 2861

Claim 36, line 1, changed the status identifier to "previously presented".

Cancel claim 37.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huan H. Tran whose telephone number is (571) 272-2261. The examiner can normally be reached on at work on W-F from 6:30 to 5; T are telework days.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Talbott can be reached on (571) 272-1934. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Huan H. Tran
Primary Examiner
Art Unit 2861

Page 4

hht 05/12/05 05/18/05